

UNITED STATES DISTRICT COURT  
MIDDLE DISTRICT OF TENNESSEE  
NASHVILLE DIVISION

SAMUEL B. ALLEN,	)	
	)	
Plaintiff,	)	No. 3:11-cv-00135
	)	Judge Haynes
v.	)	
	)	
SARAH BENNETT, et al.,	)	
	)	
Defendants.	)	

**ORDER**

The Plaintiff, an inmate at the Sumner County Jail in Gallatin, Tennessee, brings this *pro se* action under 42 U.S.C. § 1983. (Docket No. 1). The Plaintiff has submitted an application to proceed *in forma pauperis*. (Docket No. 2).

Administrative Order No. 93 provides that a prisoner's application to proceed *in forma pauperis* must include a signature of the authorized custodian of prison accounts that has been "properly notarized by a licensed notary public of the State of Tennessee." The Plaintiff's application to proceed *in forma pauperis* is defective because it does not include a signed statement from the custodian of accounts that has been properly notarized.

Further, the Plaintiff has not provided a certified copy of his inmate trust fund account statement for the 6-month period immediately preceding the filing of his complaint as required by 28 U.S.C. § 1915(a)(2).

The Clerk is **DIRECTED** to send Mr. Allen a blank application to proceed *in forma pauperis* and a copy of Administrative Order No. 93. The Plaintiff, in turn, is directed to do one of the following within thirty (30) days of the date that he receives this Order: (1) either pay the full three hundred fifty dollar (\$350.00) filing fee; or (2) return to the district court a properly completed

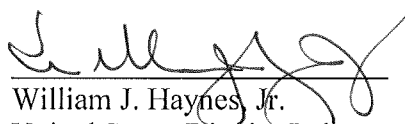
application to proceed *in forma pauperis* **and** a certified copy of his inmate trust fund account statement for the 6-month period immediately preceding the date of the entry of this Order, as required under 28 U.S.C. § 1915(a)(2).

The Plaintiff is forewarned that, if he does not comply with this order within the time specified, the Court is required to presume that he is not a pauper, assess the full amount of filing fee, and order the case dismissed for want of prosecution. *McGore v. Wrigglesworth*, 114 F.3d 601, 605 (6<sup>th</sup> Cir. 1997), *overruled on other grounds by Jones v. Bock*, 549 U.S. 199 (2007). If the case is dismissed under these circumstances, it will not be reinstated to the Court's active docket despite any subsequent correction of the documentary deficiency, or payment of the filing fee. *Id.*

An extension of time to submit the required 6-month statement, or to pay the \$350.00 filing fee, may be requested from this Court if a motion for an extension of time is filed within thirty (30) days of the date of entry of this order. *Id.* at 605; *Floyd v. United States Postal Service*, 105 F.3d 274, 279 (6<sup>th</sup> Cir. 1997), *superseded on other grounds by* Rule 24, Fed. R. App. P.

It is so **ORDERED**.

**ENTERED** this the 28<sup>th</sup> day of February, 2011.

  
William J. Haynes, Jr.  
United States District Judge